UNITED STATES DIST SOUTHERN DISTRICT	OF NEW YORK	X	
FELIX MORALES,		: : :	
	Petitioner,	: :	21-CV-3177 (JMF)
-V-		: :	ORDER
JAIFA COLLADO,		:	
	Respondent.	:	
		X	

JESSE M. FURMAN, United States District Judge:

The Court has received Petitioner Felix Morales's letter dated June 22, 2021, noting his move to a facility in Fort Lauderdale, Florida, and the address listed on the docket has been updated accordingly. ECF No. 8. Given the apparent timing of Mr. Morales's transfer, he may not have received the Court's Order of June 7, 2021, granting Respondent Jaifa Collado an extension until July 6, 2021 to respond to the Petition. Accordingly, the Court has attached the June 7, 2021 Order as Exhibit A.

Mr. Morales includes a request for "a stay, until [he] return[s] back to New York for any responses." ECF No. 8, at 2. That request is DENIED without prejudice. Mr. Morales may renew his request if a stay or extension remains warranted after he receives Respondent's papers in response to his Petition. Any renewed request should indicate when Mr. Morales anticipates being "back" in New York and/or when he could obtain the papers he would need to respond. Unless and until Mr. Morales receives an extension, any reply is due within thirty days of the date on which he is served with Respondent's answer. See ECF No. 2.

Mr. Morales should continue to keep the Court updated regarding his current address.

The Clerk of Court is directed to mail a copy of this Order to Petitioner at his new address.

SO ORDERED.

Dated: July 1, 2021

New York, New York

JESSE M. FURMAN United States District Judge

## Exhibit A



## STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES ATTORNEY GENERAL BARBARA D. UNDERWOOD SOLICITOR GENERAL

CRIMINAL APPEALS & FEDERAL HABEAS CORPUS SECTION

June 7, 2021

## By ECF

Honorable Jesse M. Furman United States District Court Southern District of New York 500 Pearl Street New York, New York 10005

> Re: Morales v. Collado, 1:21-CV-03177-JMF

## Dear Judge Furman:

I represent the respondent in the above-referenced habeas corpus matter pursuant to 28 U.S.C. § 2254. My response is due on June 14, 2021. I write respectfully to request an approximate 3-week extension of time to respond, to July 6. This is my first extension request.

The reason for my request is that I have other deadlines to meet in the next few weeks (*Bentley v. Sup't*, 6:12-cv-6038, WDNY (June 11) and *Caswell v. Racetti*, 11-cv-00153, WDNY (June 24)). Moreover, because almost all of my colleagues are working remotely, I will have to coordinate with administrative staff to have the records produced and bound for service upon Mr. Morales, and the extra time would allow me some flexibility. For these reasons, I would appreciate an about 3-week extension.

I have not contacted Mr. Morales to determine his positions to my requests, as he is proceeding *pro se* and is incarcerated.

Thank you for your consideration.

Respectfully Submitted,

/s/ Lisa E. Fleischmann, Assistant Attorney General <u>Lisa.Fleischmann@ag.ny.gov</u> (212) 416-8802

cc: Felix Morales, 16-A-2925 Shawungunk Correctional Facility P.O. Box 700 Wallkill, New York 12589-0750 (by regular mail)

Application GRANTED. Respondent shall promptly serve a copy of this Order on Petitioner and file proof of such service. The Clerk of Court is directed to terminate ECF No. 5. SO ORDERED.

June 7, 2021